## **EXHIBIT 2**

## Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center 80 South Eighth Street Minneapolis, Minnesota 55402-2215 USA TEL 612.332.5300 FAX 612.332.9081 www.merchant-gould.com

A Professional Corporation

Via Facsimile and Federal Express

Direct Contact

612.336.4637 dmcdonald@merchant-gould.com

November 8, 2007

Mr. Thomas M. Ryan President & CEO CVS Caremark Corporation 1 CVS Drive Woonsocket, RI 02895

Re: Our Ref.: M&G 13345.0147USAA

Dear Mr. Ryan:

We represent For Your Ease Only, Inc. and Lori Greiner (hereinafter FYEO) regarding intellectual property matters. FYEO sells a variety of innovative products, including jewelry organizers, through QVC and other retailers.

It has come to FYEO's attention that CVS is offering for sale a cheval-styled mirrored jewelry organizer. A copy of a portion of a CVS weekly store ad from a California CVS store is enclosed with this letter and marked as Exhibit A. The excerpt shows this product, called a "Mirrored Jewelry Box."

FYEO also sells a cheval-styled mirrored jewelry organizer, and has pending and issued patents related to its product. For example, FYEO has U.S. design patent No. D528840, a copy of which is enclosed as Exhibit B. FYEO also has pending utility patent applications that cover this jewelry organizer and variations of this organizer. FYEO also has other pending and issued patents, including corresponding issued patents in China and Europe, related to this mirrored jewelry box and other, similar products.

CVS's mirrored jewelry box clearly infringes Ms. Greiner's issued U.S. design patent, and would clearly infringe the pending claims of the utility patent application if those claims issue in their present form (as we are hopeful will be the case). As strong validation of the infringement as well as the significant harm to FYEO from the infringement, you should know that CVS's sales of this infringing product came to Ms. Greiner's attention because a customer of Ms. Greiner's product saw the CVS product, believed it to copy Ms. Greiner's design, and contacted Ms. Greiner about her concern.

Minneapolis/St. Paul

Denver

Seattle

Atlanta

Washington, DC

Mr. Thomas M. Ryan November 8, 2007 Page 2

CVS's sales of these infringing products are likely to cause significant financial harm to FYEO, at least in the form of lost profits on FYEO's products. FYEO sells a product which it believes to be a higher quality product at a higher price point, and the damage to FYEO and Ms. Greiner from the infringing sales are likely to significantly exceed CVS's likely profits on its mirrored jewelry boxes.

FYEO demands that CVS immediately cease and desist its sales of these mirrored jewelry boxes, to mitigate any further damage to FYEO from sales of these infringing products during the critical holiday season. Moreover, FYEO has filed a suit against CVS for this infringement in federal court in the Northern District of Illinois seeking all remedies available to it under the law including damages and an injunction. A copy of this complaint is enclosed as a courtesy.

Although FYEO has filed the suit and if necessary will pursue that suit, we are hopeful that CVS, now that FYEO's patent rights have been called to its attention, will do the right thing and halt further sales of this mirrored jewelry box. In the hopes that a resolution of this matter can be reached without either party having to go through more extensive litigation, we will temporarily delay formal service of the complaint on CVS.

However, in order for us to maintain the status quo, we need to hear from CVS or its counsel immediately, and no later than Monday, November 12, 2007, regarding whether it is willing to cease its sales of this product and attempt to reach an agreement without further court proceedings. If we do not hear from CVS, we will assume it has no interest in resolving this matter, and proceed accordingly with the litigation.

This matter is extremely urgent and important to FYEO. We hope that CVS deals with it accordingly. Despite FYEO's great concerns as to the impact of these infringing sales on its business, and the resulting need to initiate this lawsuit, I assure you that FYEO will reciprocate prompt attention to this matter and a good faith effort to reach a business resolution. If, however, we are unable to resolve these issues, FYEO will enforce its rights to the full extent possible in the U.S., China, and anywhere else its rights may be violated.

Yours truly,

Daniel W. McDonald

Daniel W. Mc Donald / va

DWM/vh

Enclosures

## **EXHIBIT A**

## CVS/pharmacy

Welcome! <u>Sign in or sign up</u> for easier shopping.



P₩ Shopping Cart Quick View-Items: n/a Current Total: n/a

# Get \$4 off \$20 when you sign up for email offers from ExtraCare'

## **Weekly Store Ads**

Weekly Store Ad Home, Item Detail

**Please note:** Offers, products and pricing in the advertised Weekly Store Ads ar available only for the store location you have chosen, and may vary from CVS.com and/or other stores.

### Weekly Store Ad for this CVS/pharmacy store:

8225 East Garvey Avenue Rosemead, CA 91770

Map & driving directions

Select another location

Printable Shopping List

0 Ads on your list

Print and view your list

Sign up for Email Alerts of new Weekly Store Ads:

email address here



Search Weekly Store Ads:

0

View all

More ways to browse:

Categories

– click to select --

Brands

Flash or HTML

Prices effective Sunday, Nov 4th - Saturday, Nov 10th (except as n

Store Ad page
View all items from this Weekly Store Ad page

### Mirrored Jewelry Box



\$49.99

thru Nov 10

Add to Shopping List

•Tilt mirror 55" with stand •Holds minimum 33 p earrings •Necklace & bracelet hooks •Rod for bar tennis bracelets

<< Back View all items from this Weekly Store Ad page

### Online Only Specials

\* FREE
STANDARD SHIPPING
ON NONPRESCRIPTION
ORDERS OF \$30
OR MORE!



your order of \$30!\*

Plus, FREE
Shipping



CVS - Weekly Store Ad Online

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Browse in Flash
(high speed)
Browse in HTML
(dial-up)

New Summer
Survey



**EXHIBIT B** 



### (12) United States Design Patent (10) Patent No.:

US D528,840 S

Greiner

(45) Date of Patent:

\*\* Sep. 26, 2006

#### (54) JEWELRY STORAGE CONTAINER

(76) Inventor: Lori Greiner, 1301 Dearborn Pkwy., Suite 402, Chicago, IL (US) 60610

(\*\*) Term: 14 Years

(21) Appl. No.: 29/198,693

(22) Filed: Feb. 3, 2004

(51) LOC (8) Cl. ...... 06-04

(52) U.S. CL ...... D6/559 (58) Field of Classification Search ....... D6/553, D6/559, 560, 561, 329, 396, 432, 448, 436-439, D6/444-446; 312/209, 234, 224-225, 242, 312/245; 206/320, 823

See application file for complete search history.

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#### (Continued)

Primary Examiner-Brian N Vinson

(74) Attorney, Agent, or Firm-Fredrikson & Byron, P.A.

The ornamental design for a jewelry storage container, as shown and described.

#### DESCRIPTION

FIG. 1 is a perspective view of the exterior of our new container.

FIG. 2 is a front elevation view of our new container.

FIG. 3 is a right side elevation view of our new container.

FIG. 4 is a left side elevation view of our new container.

FIG. 5 is a top plan view of our new container. The bottom plan view of our new container is a mirror image of FIG. 5. FIG. 6 is a perspective view of the interior of a first embodiment of our new container.

FIG. 7 is a perspective view of the interior of a second embodiment of our new container, where earring bars are removably mounted on metal strips on the inner surface of the door.

FIG. 8 is a front elevation view of an earring bar used with the embodiment of FIG. 7.

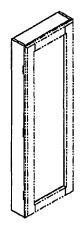
FIG. 9 is a back elevation view of the earring bar of FIG. 8. FIG. 10 is a top plan view of an earring bar of FIG. 8.

FIG. 11 is a bottom plan view of a new earring bar of FIG.

FIG. 12 is a right side view of the earring bar of FIG. 8. The left side view of the earring bar of FIG. 8 is a mirror image

The broken lines in the drawing do not form a part of the claimed invention.

#### 1 Claim, 5 Drawing Sheets



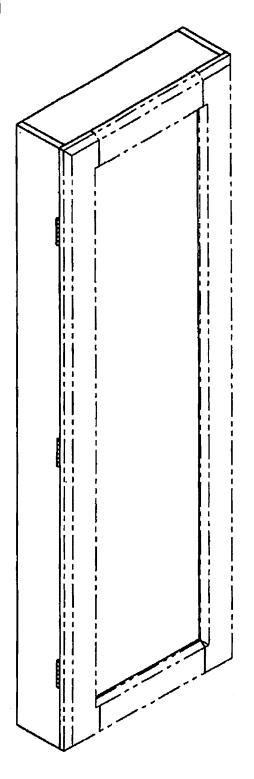
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FIG.1



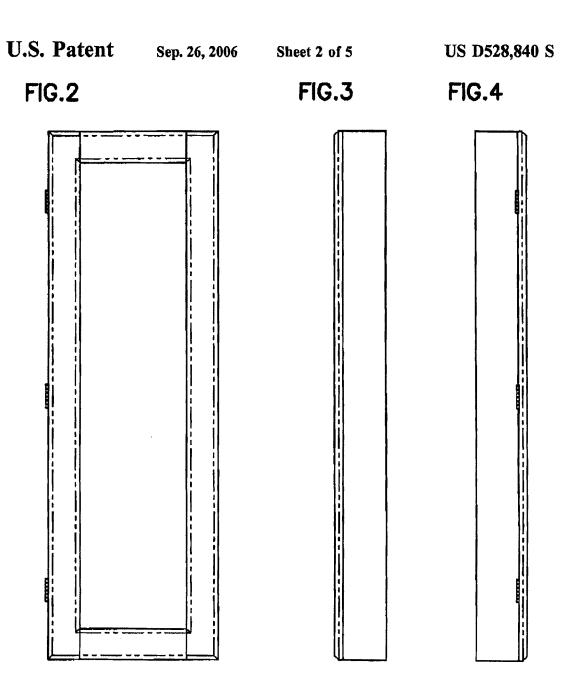
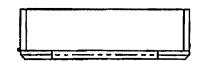
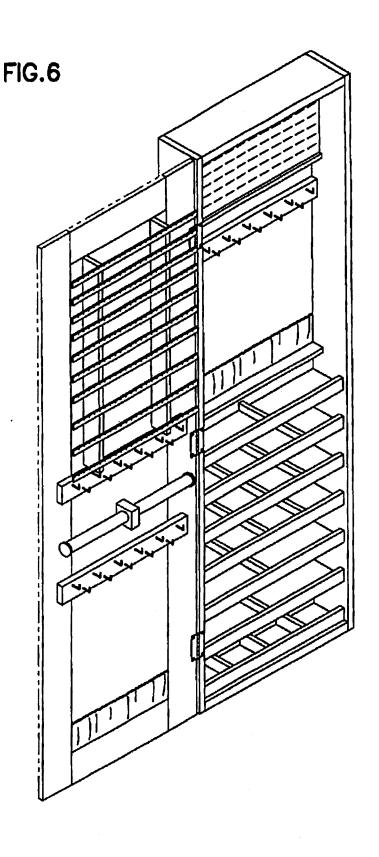


FIG.5

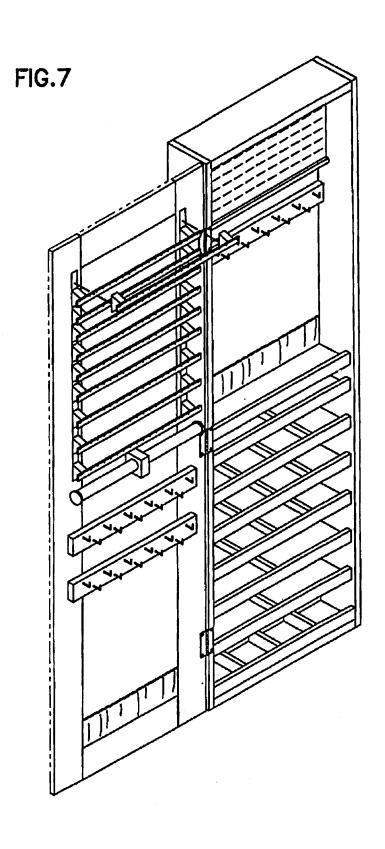


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